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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of

IUCHI et al.

Appln. No. 09/758,269

Filed: January 12, 2001

FOR: TRANSGENIC PLANTS CARRYING NEOXANTHIN CLEAVAGE ENZYME GENE



JAN 31 2002

Atty. Ref.: 3914-3

TECH CENTER 1600/2900

Group Art Unit: 1638

Examiner: C. Collins

RESPONSE TO RESTRICTION REQUIREMENT

January 29, 2002

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement (Paper No. 12 mailed January 3, 2002, Applicants elect Group X (claims 5-11 and 13-14). The claims are drawn to transformant plant cells, transgenic plants, and regenerative material with a gene encoding a protein having neoxanthin cleavage activity; methods for producing such transgenic plants; and methods for increasing or decreasing stress tolerance in a plant. Applicants reserve the right to prosecute the nonelected claims in a divisional application.

It should be noted that the characterization of the groups of claims is not correct. Only claim 8 refers to an increase in neoxanthin cleavage activity. The other claims do not recite this limitation.

Applicants earnestly solicit early examination on the merits.

Respectfully submitted,

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